

THE MYANMAR COURT-FEES (AMENDMENT) ACT, 1957*
(ACT No. XXIX OF 1957)
 (The 30th September, 1957)

It is hereby enacted as follows : —

1. (i) This Act may be called the Myanmar Court-fees (Amendment) Act, 1957.

(ii) It shall come into force on the 1st October 1957.

2. For the existing Schedules I and II to the Court-fees Act, the following shall be substituted, namely : —

Court-fees
SCHEDULE I
Ad valorem fees

Number	—	Proper fee
1. Plaint written statement pleading a set-off or counter -claim or memorandum of appeal (not otherwise provided for in this Act) or of cross objection presented to any Civil or Revenue Court except those mentioned in section 3.	When the amount or value of the subject-matter in dispute does not exceed five kyat.	Seventy - five pya.
	When such amount or value exceeds five kyat, for every five kyat, or part, thereof in excess of five kyat, up to one hundred kyat.	Seventy five pya
	When such amount or value exceeds one hundred kyat, for every ten kyat or part thereof, in excess of one hundred kyat, up to one thousand kyat.	One kyat and fifty pya
	When such amount or value exceeds one thousand kyat, for every one hundred kyat, or part thereof, in excess of one thousand kyat, up to five thousand kyat.	Ten kyat.

* မြန်မာနိုင်ငံပြန်တမ်း အပိုင်း - ၁၊ ၁၉၅၇ ခုနှစ် အောက်တိုဘာလ (၂၆)ရက်၊ စာမျက်နှာ - ၂၈၇၁။

Number	—	Proper fee
<p>1. Plaint written statement pleading a set-off or counter -claim or memorandum of appeal (not otherwise provided for in this Act) or of cross objection presented to any Civil or Revenue Court except those mentioned in section 3 — <i>concl'd.</i></p>	<p>When such amount or value exceeds five thousand kyat, for every two hundred and fifty kyat, or part thereof, in excess of five thousand kyat, up to ten thousand kyat.</p>	<p>Twenty kyat.</p>
	<p>When such amount or value exceeds ten thousand kyat, for every five hundred kyat or part thereof, in excess of ten thousand kyat, up to twenty thousand kyat.</p>	<p>Thirty kyat.</p>
	<p>When such amount or value exceeds twenty thousand kyat, for every one thousand kyat, or part thereof, in excess of twenty thousand kyat, up to thirty thousand kyat.</p>	<p>Forty kyat.</p>
	<p>When such amount or value exceeds thirty thousand kyat, for every two thousand kyat, or part thereof in excess of thirty thousand kyat, up to fifty thousand kyat.</p>	<p>Forty kyat.</p>
	<p>When such amount or value exceeds fifty thousand kyat, for every five thousand kyat, or part thereof, in excess of fifty thousand kyat.</p>	<p>Fifty kyat.</p>

Number	—	Proper fee
2. Plaint in a suit for possession under the Specific Relief Act, section 9 (a).	<p>Provided that the maximum fee leviable on a plaint or memorandum of appeal shall be three thousand kyat.</p> <p>.....</p>	<p>A fee of one-half the amount prescribed in the foregoing scale.</p>
3. [Repealed by Act VIII of 1871]		
4. Application for review of judgment, if presented on or after the ninetieth day from the date of the decree.		<p>The fee leviable on the plaint or memorandum of appeal.</p>
5. Application for review of judgment, if presented before the ninetieth day from the date of the decree.	<p>.....</p>	<p>One half of the fee leviable on the plaint or memorandum of appeal.</p>
6. Copy or translation of a judgment or order not being, or having the force of a decree.	<p>When such judgment or order is passed by any Civil Court other than the High Court, or by the presiding officer of any Revenue Court or office, or by any other Judicial or Executive authority —</p> <p>(a) If the amount or value of the subject -matter is fifty or less than fifty kyat.</p> <p>(b) If such amount or value exceeds fifty kyat.</p> <p>When such judgment or order is passed by the High Court.</p>	<p>Seventy-five pya.</p> <p>kyat one and fifty pya only.</p> <p>Three kyats.</p>

Number	—	Proper fee
7. Copy of a decree or order having the force of a decree.	<p>When such decree or order is made by any civil Court other than the High Court, or by any revenue Court—</p> <p>(a) If the amount or value of the subject-matter of the suit wherein such decree or order is made is fifty or less than fifty kyat.</p> <p>(b) If such amount or value exceeds fifty kyat.</p>	<p>Two kyat.</p> <p>Four kyat.</p>
8. Copy of any document liable to stamp-duty under the Myanmar Stamp Act, when left by any party to a suit or proceeding in place of the original withdrawn.	<p>When such decree or order is made by the High Court.</p> <p>(a) When the stamp-duty chargeable on the original does not exceed fifty pya.</p> <p>(b) In any other case</p>	<p>Sixteen kyat.</p> <p>The amount of duty chargeable on the original.</p> <p>One kyat and fifty pya.</p>
9. Copy of any revenue or judicial proceeding or order not otherwise provided for by this Act, or copy of any account, statement, report or the like, taken out of any civil or criminal or revenue Court or Office, or from the office of any chief officer charged with the executive administration of a Division.	<p>For every three hundred and sixty words or fraction of three hundred and sixty words.</p>	<p>One kyat and fifty pya.</p>
10. [Repealed by Act VIII of 1890.]		

Number	—	Proper fee
<p>11. Probate of a will or letters of administration with or without will annexed.</p>	<p>When the amount or value of the property in respect of which the grant of probate or letters is made exceeds one thousand kyat, but does not exceed ten thousand kyat.</p> <p>When such amount or value exceeds ten thousand kyat, but does not exceed fifty thousand kyat.</p> <p>When such amount or value exceeds fifty thousand kyat.</p> <p>Provided that when, after the grant of (a) a succession certificate (a) in respect of any property included in an estate, a grant of probate or letters of administration is made in respect of the same estate, the fee payable in respect of the letter grant shall be reduced by the amount of the fee paid in respect of the former grant.</p>	<p>Four per centum on such amount or value.</p> <p>Five per centum on such amount or value.</p> <p>Six per centum on such amount or value.</p>
<p>12. Succession certificate.</p>	<p>In any case</p>	<p>Four per centum on the amount or value of any debt or security specified in the certificate and six per centum on the amount or value of any debt or security to which the certificate is extended.</p> <p>NOTE. -(1) The amount of a debt is its amount, including interest on the day on which the inclusion of the debt in the certificate is applied for, so far as such amount can be ascertained.</p> <p>(2) Whether or not any power with respect to a security</p>

Number	—	Proper fee
12A. * * *	* * *	specified and a certificate has been conferred under the Act and where such a power has been so conferred, whether the power is for receiving interest on dividends on, or for the negotiation or transfer of the security, or for both purposes, the value of the security is its market-value on the day on which the inclusion of the security in the certificate is applied for, so far as such value can be ascertained.
13. * * *	* * *	
14. Application to the High Court for the exercise of its revisional jurisdiction.	When the amount or value of the subject-matter in dispute does not exceed twenty-five kyat. When such amount or value exceeds twenty -five kyat.	Four kyat. The fee leviable on a Memorandum of appeal.
15. Deleted by Act XI of 1923.		

SCHEDULE II
Fixed fees

Number	—	Proper fee
1. Application or Petition.	(a) When presented to any officer of the Customs or Excise Department or to any Magistrate by any person having dealings with the Government, and when the subject-matter of such	Twenty - five py.

Number	—	Proper fee
	<p>application relates exclusively to those dealings; or when presented to any officer of land-revenue by any person holding temporarily settled land under direct engagement with Government, and when the subject-matter of the application or petition relates exclusively to such engagement ; or when presented to any Municipal Commissioner under any Act for the time being in force for the conservancy or improvement of any place, if the application or petition relates solely to such conservancy or improvement ; or when presented to any civil Court other than a principal civil Court of original jurisdiction, or to any Court of Small Causes or to a Collector or other officer of revenue in relation to any suit or case in which the amount or value of the subject-matter is less than fifty kyat ; or when presented to any civil, criminal or revenue Court, or to any Board or executive officer for the purpose of obtaining a copy or translation of any judgment, decree or order passed by such Court, Board or officer or of any other document on record in such Court or office.</p>	

Number	—	Proper fee
<p>IA. Application to any civil Court that records may be called for from another Court.</p>	<p>(b) When Containing a complaint or charge of any offence other than an offence for which police officers may, under the Code of Criminal Procedure, arrest without warrant, and presented to any criminal Court ; or when presented to a civil, criminal or revenue Court, or to a Collector, or any Revenue-officer having jurisdiction equal or subordinate to a Collector, or to any Magistrate in his executive capacity, and not otherwise provided for by this Act ; or to deposit in Court revenue or rent ; or for determination by a Court of the amount of compensation to be paid by a landlord to his tenant ; or when containing a request for the issue or renewal of a licence under the rules made under the Petroleum Act.</p>	<p>One kyat and fifty pya.</p>
	<p>(c) When presented to the Financial Commissioner or Chief Executive Authority or a Commissioner.</p>	<p>Three kyat.</p>
	<p>(d) When presented to the High Court.</p>	<p>Five kyat.</p>
	<p>When the Court grants the application and is of opinion that the transmission of such records involves the use of the post.</p>	<p>Three kyat in addition to any fee levied on the application under clause (a) clause (b) or clause (d) of Article 1 of this Schedule.</p>

Number	—	Proper fee
2. Application for leave to sue as a pauper.	...	One kyat and fifty pya.
3. Application for leave to appeal as a pauper.	(a) When presented to a District Court. (b) When presented to a Commissioner or the High Court.	Three kyat. Five kyat.
4. * * * * *		
5. Complaint or memorandum of appeal in a suit to establish or disprove a right of occupancy.	...	One kyat and fifty pya.
6. Bail-bond or other instrument of obligation given in pursuance of an order made by a Court or Magistrate under any section of the Code of Criminal Procedure, or the Code of Civil Procedure, and not otherwise provided for by this Act.	...	One kyat and fifty pya.
7. Undertaking under section 49 of the Myanmar Divorce Act.	...	One kyat and fifty pya..
8. [Repealed by Act. XII of 1891.]		
9. [Repealed by Act. XII of 1891.]		
10. Authority to plead or act for another person.	When presented for the conduct of any one case - (a) to any civil or criminal Court other than the High	One kyat and fifty pya.

Number	—	Proper fee
	<p>Court, or to any Revenue Court, or to any Collector or Magistrate, or other Executive Officer, except such as are mentioned in clauses (b) and (c) of this number.</p> <p>(b) to a Commissioner of Revenue, of Customs, or to any officer charged with the executive administration of a division, not being the Chief Revenue or Executive Authority.</p> <p>(c) to the High Court, Financial Commissioner or other Chief Executive Authority.</p>	
<p>11. Memorandum of appeal when the appeal is not * * * from a decree or an order having the force of a decree and is presented.</p>	<p>(a) to any civil Court other than the High Court, or to any Revenue Court or Executive Officer other than the High Court or Financial Commissioner or other Chief Executive Authority.</p> <p>(b) to the High Court, Financial Commissioner or other Chief Executive Authority.</p>	<p>Three kyat.</p> <p>Five kyat.</p> <p>One kyat and fifty pya.</p>
<p>12. Caveat</p>	<p>...</p>	<p>Fifteen kyat</p>
<p>13. * * *</p>	<p>...</p>	<p>...</p>
<p>14. Petition in a suit under the Native Convert's Marriage Dissolution Act.</p>	<p>...</p>	<p>Fifteen kyat.</p>
<p>15. [Repealed by Act V of 1908.]</p>	<p>...</p>	<p>...</p>

Number	—	Proper fee
16. [Repealed by Act VI of 1889, s. 18 (1).]	...	
17. Plaint or memorandum of appeal in each of the following suits- (i) To alter or set aside a summary decision or order of any of the civil Courts other than the High Court or of any Revenue Court ; (ii) To alter or cancel any entry in a register of the names of proprietors of revenue- paying estates ; (iii) To obtain a declaratory decree where no consequential relief is prayed; (iv) To set aside an award; (v) To set aside an adoption; (vi) Every other suit where it is not possible to estimate at a money-value the subject-matter in dispute, and which is not otherwise provided for by this Act.	...	Twenty kyat
18. Application under the Arbitration Act, 1944.	Thirty kyat.
19. Agreement in writing stating a question for the opinion of the Court under the Code of Civil Procedure.	...	Thirty kyat.

Number	—	Proper fee
20. Every petition under the Myanmar Divorce Act, except petitions under section 44 of the same Act, and every memorandum of appeal under section 55 of the same Act.	...	Sixty kyat.
21. Plaint or memorandum of appeal under the Parsi Marriage and Divorce Act.	...	Sixty kyat.

Signed by me in pursuance of the Constitution.

U WIN MAUNG.
President of the Union of Myanmar.

Yangon, the thirtieth day of September 1957.

By order,
PA SEIN.
President's Secretary.